



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF: SR-6J

Mr. Daniel F. Norris
Northland College
1411 Ellis Avenue
Ashland, Wisconsin 54806

Re: Ashland/NSP Lakefront Superfund Site

Dear Mr. Norris:

The United States Environmental Protection Agency (EPA) received your letter addressed to Mr. John Robinson of the Wisconsin Department of Natural Resources (WDNR) via both your email and through forwarding to my attention from Mr. Robinson. For your information, I am the Project Manager for this Site and am responsible for addressing this matter.

EPA has been in close contact with the City of Ashland regarding the subject property and we were aware of the "Book Across the Bay" event. However, the Agency was not aware of the practice of building bonfires on top of the snow and ice (above the contaminated inlet area).

The City, as well as NSP-Wisconsin (Xcel Energy) is fully aware that the subject property does not pose any health risks as long as the subsurface isn't breached. Surficial soils are not contaminated. However, subsurface soils, groundwater, and sediments are contaminated in some areas.

In fact, EPA recently sent a detailed letter to the City providing reasonable steps it could take if it chooses to extend the trail system on the subject property before implementation of a cleanup at the Site:

- Avoid any activities that may result in the disturbance or migration of the contaminated soils and groundwater;
- Avoid any activities that may result in the exposure of individuals and ecosystems to the contaminated soils and groundwater;
- Refrain from any activities that would involve the penetration of the water table;
- Refrain from the tampering, opening, or damaging of any of the monitoring wells or piezometers located on the property;
- Refrain from interfering with the existing response activities ongoing at the property as conducted by EPA and NSP-Wisconsin.

EPA's primary mission is to protect human health and the environment and as such, if there were any direct threats to human health and the environment, EPA would prohibit public access to the site area adjacent to the marina. That is, in fact, why the WDNR site restrictions to boating and fishing in the inlet remain in effect, and why EPA asked the city to shut down the two artesian wells which border the site area (until we can confirm that there is no chance that the wells may intercept contaminated ground water).

In addition to the fact that the surface soil does not pose a direct contact threat to human health or the environment, the fact that the site now has an extensive snow cover creates an even greater barrier to direct contact of contaminants. In addition to soil fill on top of contamination, the site is now covered by a few feet of snow. I myself used snowshoes last week to traverse the Site; both on top of the land portion and out into the bay.

With regards to open fires at the lakefront, there is no reason to believe that anyone was burning sediment. The sediment is currently beneath approximately 3 feet of ice and snow. Before there would be any chance of someone burning contaminated sediment, they would have had to melt their way through the snow and ice cover, and then caused the water beneath to burn. This is an extremely unlikely scenario.

EPA has consulted with the State of Wisconsin Department of Health in this matter. Neither EPA nor the State of Wisconsin regard non-invasive winter activities on the Site to be a health concern. Non-invasive activities include: walking, skiing, snowmobiling, and driving vehicles that do not break through the ice.

Certainly, as you suggest, building a large bonfire on snow and ice directly above affected sediments can plausibly breach the winter cover. Building a large bonfire on snow and ice out in the bay, in general, certainly has many of its own safety issues, regardless of the presence of contaminated sediment.

Even had the winter cover been breached on February 19th, it is our opinion that such an activity would have a very low risk of causing human exposure to substantial amounts of site-related contaminants in sediments. Furthermore, the actual inhalation exposure risks to polyaromatic hydrocarbons from the wood burning fire smoke itself would likely be many times higher than what could result from the winter cover being breached. That is, it is unlikely that the wet sediments, had they been uncovered, would burn. In addition, any vapors from evaporation of contaminants within the surface water and sediments would be many times lower than that which would be in the breathing air from the fire itself. Further, the fire would likely not sustain itself once liquid water was reached through the ice. A greater risk to human health would be people falling into the water and suffering hyperthermia and/or drowning.

We agree with your position that safety is of primary concern here and that the use of this area certainly can provide a perception of disregard for public safety, especially when there are signs warning people about fishing and contact with contaminated sediment.

We agree that it is important to highlight the potential dangers and to make it clear what the risks, in fact, are. With this in mind, EPA will reemphasize its position to the City regarding invasive

activities at the site, not just to include anything the city plans to build in the future, but including its use for events such as "Book Across the Bay." We also believe that additional public information signs may be warranted and we will work with our community involvement staff (as well as WDNR's and its consultant, the Sigurd Olson Environmental Institute at Northland College) for better ways to demarcate the Site and its potential risks to human health and the environment.

Please feel free to contact me at your earliest convenience if you have any suggestions in this regard. I can be reached at 312-353-0536 or 800-xxx-xxxx or at jaffess.sharon@epa.gov. Your interest in this matter is very much appreciated and local insight is very important for us to be fully aware of. As I said, I was unaware of the bonfires while I was aware of the event in general. I very much appreciate your contacting us and providing your feedback and concerns.

Sincerely yours,

Sharon Jaffess, Remedial Project Manager
Superfund Division

cc: Jamie Dunn, WDNR
David Frasher, City Administrator
Rodney Maiwald, City Council
Kathy Allen, City Council
John Robinson, WDNR

Bcc: Bri Bill, OPA
Craig Melodia, ORC